

REMARKS

Claims 13-16, 30 and 32-35 presently appear in this case. Claims 30 and 32-35 have been allowed, and claim 14 has been indicated to be allowable if rewritten in independent form. Claims 13, 15 and 16 have been rejected. Claims 18-20 and 27-29 have been withdrawn from consideration. The official action of July 26, 2005, has now been carefully studied. Reconsideration and allowance are hereby respectfully urged.

Briefly, the present invention relates to an isolated polypeptide which is capable of binding to RIP, which protein is a RIP-associated protein (RAP) encoded by a DNA sequence in a clone deposited in a depository, a fragment thereof which binds to RIP, an analog thereof having no more than ten changes in the amino acid sequence of RAP, each said change being a substitution, deletion or insertion of an amino acid, preferably a substitution, which analog binds to RIP, or a derivative thereof by modification of a functional group which occurs as a side chain or a terminal group without changing one amino acid to another.

Claims 18-20 and 27-29 have been withdrawn from further consideration by the examiner as being drawn to non-elected inventions.

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Claims 18-20 and 27-29 have now been deleted without prejudice toward the continuation of prosecution thereof in a divisional application.

Claims 13, 15 and 16 have been rejected under 35 U.S.C. §112, first paragraph, because the specification does not reasonably provide enablement for all isolated polypeptides that are capable of binding to RIP, comprising any fragment of RIP or any isolated polypeptide comprising any analog of RAP having no more than ten changes in which the changes are deletions or insertions. This rejection is respectfully traversed.

It is noted that the examiner has indicated that claims 31-34 are allowable. Accordingly, claim 13 has now been amended so as to appear as claim 31 rewritten in independent form, i.e., specifying that the analog has no more than five changes in the amino acid sequence of (a). As claim 31 was indicated to be allowable, claim 13, which is now claim 31 in independent form, must be allowable. Reconsideration and withdrawal of this rejection are respectfully urged.

It should be noted that claim 13 has also been amended to specify that it is the fragment of (a) that binds to RIP, not the polypeptide that comprises the fragment. Accordingly, claim 13 does not read on polypeptides that gratuitously contain a fragment of RAP and which bind to RIP

because of other areas of the polypeptide. Claim 13 now requires that the fragment itself bind to RIP regardless of whether or not additional amino acids lie upstream or downstream of this fragment. Claims 30 and 35 have been similarly amended despite their indication of allowability.

Claims 13, 15 and 16 have been rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed.

As indicated above, claim 13 has now been amended so as to appear as claim 31 in independent form. As claim 31 has been indicated to be allowed, claim 13 is now in condition for allowance. As claims 15 and 16 depend from this allowable claim, these claims must also be in condition for allowance. Reconsideration and withdrawal of this rejection are, therefore, respectfully urged.

Claim 14 has been objected to as being dependent upon a rejected base claim. The examiner states that this claim would be allowable if rewritten in independent form.

As claim 13 has now been amended to appear in allowable form, it is not necessary to place claim 14 into independent form. Claim 14 should now be allowable for the same reason as claim 13, from which it depends.

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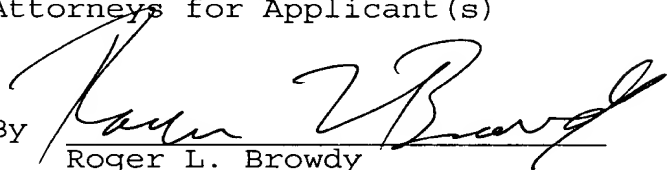
The examiner has allowed claims 30-35. Accordingly, claim 31 has now been deleted in favor of amended claim 13, which is essentially claim 31 rewritten in independent form. Claims 32 and 33 are now dependent upon this newly amended and allowable claim 13. Claim 34 has been rewritten into independent form. Accordingly, all of the claims now present in the case have been indicated to be allowable or allowed by the examiner.

It is submitted that all of the claims now present in the case clearly define over the references of record and fully comply with 35 U.S.C. §112. Reconsideration and allowance are therefore earnestly solicited.

Respectfully submitted,

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